

ence as cited in the March 23 Official Action that seemed to be clearly unrelated to the claim subject matter for which the passages had been cited.

The undersigned observed to Ms. Williams that the errors in citation appeared to flagrantly go beyond *bona fide* mistakes, and instead appeared to be blatantly selected at random or arbitrarily. The undersigned also commented that such practices undermine the statutory presumption of validity, and that this problem cannot be corrected merely by withdrawing the response and outright allowing the claims — but rather require reassignment of the case for performance of a proper, good-faith examination.

Some of the examples mentioned by telephone included these passages:

- starting with the last two lines on page 2 of the Official Action, and continuing through the bottom of page 3;
- the central paragraph on page 4;
- the passage running from the last paragraph on page 4 through the fourth paragraph on page 5; and also
- the final paragraph on page 5 through the first two paragraphs on page 6.

As also pointed out, several of the citations to the drawings are wholly irrelevant to the subject claim recitations.

Accordingly the Applicants respectfully ask that this case be reassigned for a *bona fide* examination. Applicants also respectfully ask that any new Official Action issued herein be treated as a "first" action on the merits.

Section 112 — In the Official Action, a rejection is lodged on the basis that claim recitation of "processor por-

tions" is not supported by the specification. Applicants respectfully point to:

- Fig. 4 (particularly block 72, "color-calibrating processor portions"); and
- page 45, line 26, through page 46, line 15.

These specific points, however, are best considered in the context of the general description running from pages 42 through 48.

Further, a rejection is lodged in the Official Action regarding the derivation of a calibration as recited in claim 27. Applicants respectfully point to page 41 of their specification, and particularly the brief section on that page entitled "8. SENSOR CALIBRATION TABLES FROM IDEAL INKS".

Misidentification of the Coinventors — Under separate cover the undersigned has pointed out that Declaration-and-Power forms residing in the United States Patent & Trademark Office files have evidently been swapped as between this case and a companion application, serial 09/919,260. That error resulted in corresponding exchange of the named coinventors in the two cases.

On May 9, a request was made in that case that the two Declaration-and-Power forms be transferred into their respective correct USPTO files — and also that the resulting erroneous inventorships be corrected.

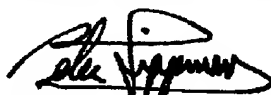
Conclusion

In view of the foregoing amendments and remarks, Applicants very respectfully and with apologies request the relief

outlined above, particularly including reassignment of this application for proper examination — which it is hoped will lead to favorable reconsideration and allowance of all the claims now standing in this case.

It is respectfully requested that, should there appear any further obstacle to allowance of the claims herein, the Examiner telephone the undersigned attorney to try to resolve the obstacle.

Respectfully submitted,



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June 23, 2005

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